Be it enacted by the Legislature of Johnston. the State of Texas: McNealus.

Section 1. That Article 6086, Revised Civil Statutes of the State of Texas, Chapter 1, Title 100, entitled "Power and Duties of Board," be so amended as to hereafter read as follows:

Governor Shall Appoint.-The Covernor is hereby authorized to appoint two qualified voters of the State of Texas, and who shall perform such duties as may be directed by him consistent with the Constitution, as he may deem necessary in disposing of all applications for pardon. The said two voters shall be known as "The Board of Pardon Advisers," and shall be paid out of any money in the Treasury, not otherwise appropriated, a salary of Three Thousand Dollars each per annum on monthly vouchers approved by the Governor.

Sec. 2. The fact that some doubt has arisen as to the authority of the Committees on Appropriations to fix the salary of certain heads of departments of the State Government, and the further fact that the Committees on Appropriations of the two Houses of the Legislature are now in session, and preparing the Appropriation Bill for the next two years, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

ELEVENTH DAY.

Senate Chamber.

Austin, Texas, July 7, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice. Dudley.
Buchanan of Scurry. Faust.
Clark. Floyd.
Cousins. Gibson.
Dayton. Hall.
Dean. Hertzberg.
Dorough. Hopkins.

Johnston.
McNealus.
Page.
Parr.
Smith.

Strickland. Suiter. Westbrook. Williford. Woods.

Absent.

Buchanan of Bell. Carlock. Caldwell. Rector.

Absent-Excused.

Bailey.

Witt.

Prayer by Rev. Dr. Ewell of Houston.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Excused.

Senator Bailey was excused for last Saturday, today and tomorrow, on account of important business, on motion of Senator McNealus.

Senator Faust for Saturday, on motion of Senator McNealus.

Senator Witt for Saturday and until Thursday of this week, on motion of Senator Williford.

Senator Hertzberg for Saturday, on his own motion.

Petitions and Memerials.

See Appendix.

Standing Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Dudley:

S. B. No. 104, A bill to be entitled "An Act to make a certain emergency appropriation out of the general revenue for the purpose of eradicating predatory animals in the State of Texas for the fiscal year beginning September 1, 1920, and ending August 31, 1921, and declaring an emergency."

By Senator Suitor:

S. B. No. 105, A bill to be entitled "An Act to amend Articles 637a,

637b and 637c of Chapter 203, Acts of the Regular Session of the Thirty-fifth Legislature, which articles were by said chapter added to Chapter 2, Title 18, Revised Civil Statutes, 1911, relating to the issuance of county bonds by any county for the purpose of purchasing or taking over improved roads already constructed by any road district or districts therein and further constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes throughout said county, etc., and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Suitor:

S. B. No. 106, A bill to be entitled "An Act creating Quitman Independent School District in Wood County, Texas, etc., and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

Senate Concurrent Resolution No. 16.

Whereas, It is reported through the press that a resolution is to be introduced in the House of Representatives of Texas, demanding the resignation of the Hon. W. P. Hobby, Governor of Texas; and,

Whereas, Said resolution is based on the Blue Ridge Committee report heretofore adopted by the Senate and House of Representatives; and,

Whereas, Said report fails to disclose any conduct on the part of the Governor warranting a demand for his resignation and fails to disclose any lack of integrity on the part of the Governor; and.

Whereas, The effect of the introduction of such resolution would be an attempt to discredit the Governor in the eyes of the people of Texas, and to reflect upon his integrity, and to cast a slur upon the good name of this State; therefore, be it

Resolved by the Senate, the House of Representatives concurring, that we express our confidence in the integrity and trustworthiness of the Honorable W. P. Hobby, Governor of Texas; and, be it further

Resolved, That the introduction of such resolution demanding his resignation would be unfair, unjust and unwarranted.

HERTZBERG.

The resolution was read and adopted by the following vote:

Yeas-27.

| Hertzberg. |
|-------------|
| Hopkins. |
| Johnston. |
| McNealus. |
| Page. |
| Parr. |
| Rector. |
| Smith. |
| Strickland. |
| Suiter. |
| Westbrook. |
| Williford. |
| Woods. |
| |
| |

Absent-Excused.

Buchanan of Bell. Witt.

Senate Bill No. 53.—Re-considered.

Senator Alderdice, by unanimous consent, moved that the vote by which S. B. No. 53, amending Act creating Ferris Independent School District in Ellis County, was passed finally be considered.

The motion prevailed by unanimous vote.

On motion of Senator Alderdice, the bill was laid on the table subject to call.

Message From the House.

Hall of the House of Representatives, Austin, Texas, July 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 14, A bill to be entitled "An Act creating, establishing and incorporating Hidalgo Common School District No. 15, in Hidalgo County, Texas, containing a portion of the territory in Hidalgo County, Texas, heretofore embraced in Pharr-San Juan Independent School District, describing the metes and bounds thereof, placing said Hidalgo Common School District No. 15 under the jurisdiction of Hidalgo County; providing for the selection of a board of trustees by the Hidalgo County

board of trustees, to hold office until the next regular election, and providing for the election of trustees thereafter; vesting said district and board of trustees with all the school affairs theren as conferred and imposed by general laws upon common school districts and boards of trustees thereof, organized under the general laws of Texas; vesting the school property situated in said Common School District No. 15, and all uncollected taxes, claims and causes of action, legally or equitably belonging Pharr-San Juan Independent School District within the territory embraced herein and validating and confirming same in Hidalgo Common School District No. 15; providing for the assumption by Hidalgo Common School District No. 15 of its pro rata share, based upon the value that the lands herein embraced now bears to the aggregate value of all the lands formerly comprising Pharr-San Juan Independent School District certain bonded indebtedness existing against said Pharr-San Jaun Independent School District; providing that the enactment of this law shall not invalidate any local school taxes heretofore voted and now in force in the territory herein incorporated, and ratifying, confirming and adopting, as valid and subsisting against this district, any such taxes; repealing all laws in conflict herewith, making this Act cumulative of the general laws of the State of Texas, claring an emergency." With amendment.

S. B. No. 15, A bill to be entitled Act amending Chapter 85 House Bill No. 603, enacted by the Thirty-sixth Legislature at its regular session, creating Edinburg Independent School District in Hidalgo County, Texas, by amending Section 1 thereof, revising the metes and bounds of said district and by amending Section 11 thereof, providing for bond of assessor and collector authorized by said House Bill No. 603 and fixing his compensation; repealing all laws in conflict therewith and declaring an emergency.'

S. B. No. 16, A bill to be entitled "An Act amending Chapter 68, House Bill No. 534, enacted by the Thirty-sixth Legislature at its reg- Texas, passed at the Regular Ses-

Juan School District, by amending Section 1 thereof; revising the metes and bounds of said district; and deand declaring an emergency." with amendment.

H. B. No. 17, A bill to be entitled "An Act to amend House Bill No. 500, an act passed by the regular session of the Thirty-fifth Legislature of the State of Texas, to create a more efficient road system for Hill County, Texas, making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such by adding to said act Section 8a, providing for the county commissioners of Hill County to use their private automobiles in performing the duties devolved upon them by said act, and providing that they shall be repaid out of the road and bridge fund of said county for all expenses incurred by them in so using their private automobiles, and amending Section 10 thereof by striking out the words 'graduate' and inserting the words 'has voted, or' and the words 'has issued or'; repealing all laws and parts of laws in conflict herewith and declaring an emergency."

H. B. No. 77, A bill to be entitled "An Act to exempt the county of Uvalde from the provisions and operations of Articles 7256 to 7304, inclusive, of Chapter 7, Title 124, of the Revised Civil Statutes of 1911, and all acts amendatory thereto relating to the inspection of hides and animals, and repealing all laws in conflict therewith, and declaring an emergency.'

H. B. No. 54, A bill to be entitled "An Act to amend Section 2 of Chapter 54, House Bill No. 432, of the Special Laws of the State of Texas, passed by the Regular Session of the Thirty-first Legislature, and approved March 16, 1909, entitled 'An Act creating an independent school district in the county of Ellis, State of Texas, to be known as the Ferris Independent School District'; more particularly defining its metes and bounds, and adding Section 2a thereto, and declaring an emergency."

H. B. No. 65, An Act amending Section 1 of House Bill No. 606 of Chapter 70 of the Special Laws of ular session, creating the Pharr-San sion of the Thirty-fifth Legislature

of the State of Texas, and approved March 26, 1917, entitled "An Act mer Independent School District, Dallas County, Texas, defining its metes and bounds and providing a board of trustees therefor, and for other purposes, and declaring an emergency," so that hereafter said Section 1, in defining the metes and bounds of said Wilmer Independent School District, shall read as shown below.

H. B. No. 51, A bill to be entitled "An Act to amend Section 1 of 'An Act creating Pflugerville Independent School District in Travis and Williamson County, Texas, consclidating into said independent school district the territory included in the Pflugerville Independent present School District, Common School District No. 56, Common School District No. 12, Williamson and Travis County Line School District No. 14, and Common School District No. 15; defining its boundaries, vesting it with the rights, powers, duties and priviliged of districts incorporated for school purposes only under the general law; providing for a board of trustees therefor; making pro-vision for taxation for school purposes in said district, and declaring an emergency,' being House Bill No. 606, passed by the Regular Session Legislature. the Thirty-sixth changing and correcting the boundary lines of said school district, and validating and confirming the election of school trustees for said district, and declaring an emergency."

H. B. No. 57, A bill to be entitled "An Act creating and incorporating the DeSoto Independent School District in Dallas County, Texas, out of the territory now comprising Common School District No. 39 in said county, defining its boundaries, providing that the tile to said school property vested in said Common School District No. 39 shall be vested in said independent school district and that said Independent School District shall assume the duties of said Common School District No. 39; providing for a board of trustees for said DeSoto Independent School District No. 39; providing the time and manner of their election; defining their duties, and declaring an emergency.

H. B. No. 60, A bill to be entitled "An Act adding to and making a creating and incorporating the Wil-part of the Raymondville Independent School District of Cameron County, Texas, certain lands and territory adjoining thereto situated in Cameron County, Texas," etc.

> H. B. No. 61, A bill to be entitled "An Act adding to and making a part of the Rio Hondo Independent School District of Cameron County, Texas, certain lands and territory adjoining thereto situated in Cameron County, Texas," etc.

> S. C. R. No. 13, Providing for accepting portrait of General McAlexander.

> Respectfully submitted, O. P. BRASFORD, Acting Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred, after their captions had been read, the following House bills:

H. B. No. 17, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 77, referred to the Committee on Stock and Stock Raising.

H. B. No. 54, referred to the Committee on Educational Affairs.

H. B. No. 65, referred to the Committee on Educational Affairs.

H. B. No. 51, referred to the Committee on Educational Affairs.

H. B. No. 57, referred to the Committee on Educational Affairs.

H. B. No. 60, referred to the Committee on Educational Affairs.

H. B. No. 61, referred to the Committee on Educational Affairs.

Simple Resolution No. 20.

Whereas, The Hon. Cone Johnson of Tyler, Texas, a former member of this Senate, and a distinguished citizen of our State, is now in the city of Austin; therefore, be it

Resolved by the Senate that the said Hon. Cone Johnson be invited to address the Senate and extended the privileges of the floor.

SUITER. DOROUGH.

was read and The resolution adopted, and the distinguished visitor was presented to the Senate and made an address.

Senate Bill No. 57.—Set as Special Order.

On motion of Senator Clark, S. B. No. 59, amending tick eradication law was set as a special order for next Wednesday at the conclusion of the morning call.

Senate Bill No. 35.

The Chair laid before the Senate on second reading:

S. B. No. 35, A bill to be entitled "An Act authorizing the Prison Commission of the State of Texas, by and with the consent of the Governor, to purchase the necessary land and machinery needed with which to establish maintain and operate a cement plant in this State, to operate said plant when so constructed, for the manufacture of cement and its by products; providing that the State may work said plant with convict labor and that the products so manufactured at said cement plant may be sold only to the counties, cities and political sub-divisions of such counties, when the same is to be used in the construction and maintenance of the public roads and high-ways of said counties, cities and political subdivisions thereof, and declaring an emergency."

Senator Caldwell offered the following amendment:

Amend S. B. No. 35 by striking out paragraph 2 of Sec. 1.

Pending.

On motion of Senator Dorough, the bill was laid on the table subject to call.

Senate Bill No. 77.—Re-committed.

Senator Hall moved that S. B. No. 77 be re-committed to the Committee on Educational Affairs.

The motion prevailed.

Senate Bill No. 11.

The Chair laid before the Senate on second reading:

"An Act to provide for the sale, development and patenting of mineral deposits, placers, veins, lodes or any rock or acqueous solutions carrying metallic or non-metallic substances of value excepting oil, natural gas, coal and lignite that may be in any of the land of the public free school fund, University fund, the several Asylum funds, that may have been heretofore sold or disposed of by the State with the reservation of minerals therein or which may hereafter be sold with the reservation of minerals therein and all of said lands as were purchased with a relinquishment of the minerals therein, and all lands of which the mineral rights therein have or shall reverted to the State of Texas and the said mineral substances that may be in any fresh water lake, salt water lake, bays, inlets, marshes, reefs, islands and river beds and channels which belong to the State repealing all laws in conflict with this Act and declaring an emergency."

Senator Dudley offered the following amendments which were read and adopted, severally:

- Amend Senate Bill No. 11, (1)page 1, Section 1, line 23, by omitting the words, "or acqueous solutions."
- Amend Senate Bill No. 11. (2) page 1, Section 1, lines 31 and 32 by omitting the words, "fresh water lakes, salt water lakes, bays, inlets. marshes and reefs."
- Amend Senate Bill No. 11. page 7, Section 12, line 17, by omitting the words "or Water," and by omitting the words, in the same section, line 20, "or waters."
- (4) Amend Senate Bill No. 11, page 2, Section 3, line 29 by adding after the word "decide" the following clause: "Anyone interferring with, removing or destroying any monument post or notice of any locator shall be subject to a fine of not to exceed \$100 or 30 days in jail, either or both, and it shall be the duty of the district judges in the respective judicial districts of Texas, to charge the grand juries with an investigation of such offenses."
- (5) Amend Senate Bill No. 11, page 7, by adding to Section 11, after S. B. No. 11, A bill to be entitled the word "location" the following:

"Should any mineral or substance within the provisions of this Act or other than those included in the permit, or lease, under which one is operating, be discovered while the area is being worked, for the mineral and substances embraced in such permit or lease, the owner thereof shall have a preference right for 60 days after such discovery in which to file on the area allowed one for such minerals or other substances by complying with the provisions of this Act, relating to the mineral or substances of discovered."

(6) Amend Senate Bill No. 11, by adding the following:

Section 9a. All State lands belonging to or under the jurisdiction and control of the Prison Commission of the State, or the Board of Trustees for the State Institution for the Training of Juveniles, and all other farms belonging to the State and administered by other Boards, shall become subject to the provisions of this Act; but with the express reservation that in sales of the mineral rights in or under such farms, the annual payments and the royalties shall be made so long as the purchasers of said rights shall desire their respective operate claims; and in no event shall a patent issue upon any claim filed upon any such farm belonging to the State, and all rights of the claimant to any land or filings hereunder. shall terminate upon permanent cessation by such claimant of operation under such claim.

- (7) Amend Senate Bill No. 11, in caption, line 7, by omitting the words, "or acqueous solutions."
- (8) Amend Senate Bill No. 11, caption, by striking out from line 17, the following words: "Fresh water lakes, salt water lakes, bays, inlets, marshes, reefs."
- (9) Amend the caption of Senate Bill No. 11 by adding after line 10 of the printed bill the following:

"all State lands belonging to or under the jurisdiction and control the Prison Commission of this State, or the Board of Trustees for the State Institutions for the training of juveniles and all other farms belonging to the State and administered by other boards."

The bill was read second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 11 put on its third reading and final passage by the following vote:

Yeas-24.

Alderdice. Hall. Buchanan of Scurry. Hertzberg. Caldwell. Hopkins. Carlock. McNealus. Cousins. Page. Dayton. Parr. Dean. Rector. Dorough. Strickland. Dudley. Suiter. Faust. Westbrook. Floyd. Williford. Gibson. Woods.

Present-Not Voting.

Johnston.

Absent.

Clark.

Smith.

Absent-Excused.

Bailey. Witt. Buchanan of Bell.

The bill was laid before the Senate, read third time and, on motion of Senator Dudley, was passed by the following vote:

Yeas—25.

Alderdice. Hall. Buchanan of Scurry. Hertzberg. Johnston. Caldwell. McNealus. Carlock. Clark. Page. Cousins. Parr. Dayton. Rector. Strickland. Déan. Dorough. Suiter. Dudley. Westbrook. Faust. Williford. Floyd. Woods. Gibson.

Nays—1.

Hopkins.

Absent.

Smith.

Absent-Excused.

Bailey. Witt. Buchanan of Bell.

Senate Bill No. 14.--House Amendments Concurred In.

Senator Parr called up to concur in House amendments to:

S. B. No. 14, A bill to be entitled "An Act creating, establishing and Hildalgo incorporating Common School District No. 15, in Hidalgo County, Texas."

The following House Amendment was laid before the Senate:

Amend Senate Bill No. 14 by striking out all of Section 1 and inserting in lieu thereof the following:

Section 1. That Hidalgo Common School District No. 15, in Hidalgo County, Texas, be and the same is hereby created, established and incorporated with metes and bounds as follows, to-wit:

Beginning on the north bank of the Rio Grande River at the base of the east line of Porcione 57 and west line of Porcione 58 for the southwest corner of this district. Thence northward with said Porcione line to the southwest corner of the McAllen Independent School District near the southeast corner of Section 27 of Thence eastthe LaLomita lands. ward with the south line of the Mc-Allen Independent School District to the east line of the Porcione 66, being the southeast corner of the Mc-Allen Independent School District. thence southward with the west line of lot 5 in block 20 of Conway Gardens and west line of lots 2 and 5 in block 21 and the west line of lots 2 and 5 in block 22 of Conway Gardens to the southwest corner of lot 5 in block 22 of Conway Gardens for corner. Thence east along the south boundary line of lots 5 and 6 in said block 22 of Conway Gardens and the south boundary line of lots 4 and 5 of block 11 of the A. J. McColl subdivision of Porcione 68 and the south boundary line of lots 328, 327, 326, 325, 324, 323, 320 and 321 of the J. C. Kelley subdivision of Porciones 69 and 70 and along the south boundary line of lots 36 and 34 of block 15 and the south line of lots 6, 5, and 4 of block 16 of the re-subdivision of Porciones 71 and 72 by John Closner and others, across the east line of Porcione 72, continue Special Laws enacted by the Thirtyalong the south boundary line of lots sixth Legislature at its Regular Ses-48, 47 and 46 of Stewart's Addition sion be, and the same is hereby to Conway Gardens and along the amended to hereafter read as fol-Center line of section 15, 16 and 17 lows:

of the Alamo Land and Sugar Company's tract to a line running north and south through the center of said section 17 of the Alamo Land and Sugar Company's tract for the northeast corner of this district. Thence southward with the center line of sections 17, 13, 9 and 5 of the said Alamo Land and Sugar Company's tract to the bank of the Rio Grande River for the southeast corner of this district. Thence in a westerly direction along the Rio Grande River with its meanders to the place of beginning, containing approximately 38.38 square miles.

The House amendments were concurred in by the following vote:

Yeas-27.

Alderdice. Hertzberg. Buchanan of Scurry. Hopkins. Caldwell. Johnston. Carlock. McNealus. Clark. Page. Parr. Cousins. Dayton. Rector. Dean. Smith. Dorough. Strickland. Dudley. Suiter. Faust. Westbrook. Williford. Floyd. Woods. Gibson Hall

Absent—Excused.

Bailey. Witt. Buchanan of Bell.

Senate Bill No. 16-House Amendments Concurred In.

Senator Parr called up to concur in Senate amendments to:

S. B. No. 16, A bill to be entitled "An Act amending Chapter 68, House Bill No. 534, enacted by the Thirtysixth Legislature at its Regular Session, creating the Pharr-San Juan Independent School District.

The following House amendments were read:

Amend Senate Bill No. 16 by striking out all of Section 1 and inserting in lieu thereof the following:

Section 1. That Section 1, Chapter 68, House Bill No. 534, of the "Section 1. That an indepednent school district is hereby created and established in Hidalgo County, Texas, to be known as Pharr-San Juan Independent School District, which said distirct shall comprise the following territory by metes and bounds, towit:"

Beginning on the east line and about the center thereof, of lot 5. block 20, of Conway Gardens, being the southeast corner of the McAllen Independent School District. Thence north with the dividing line between Porciones 66 and 67 at 4 miles cross the St. Louis, Brownsville & Mexican Railroad and continue to a point 21/4 miles south of the north line of said Porciones for the northwest corner of this district, which point is about 3½ miles north of said railroad. Thence in an easterly direction along the dividing line of blocks 5 and 6 of Conway Gardens, through the center of block 3 of the A. J. McColl subdivisions of Porcione 68, along the north boundary line of lots 73, 74, 75, 76, 77, 78, 79 and 80 of the J. C. Kelley subdivisions of Porcoines 69 and 70 and the north line of lots 2, 2, 4 and 3 of the re-subdivision of Porciones 71 and 72 by John Closner and others and along the south boundary line of blocks 51, 52 and 53 of the Alamo Land and Sugar Company's tract to a line running north and south through the center of sections 53 and 49 of said Alamo Land and Sugar Company's tract for the northeast corner of this district. Thence southward with the center line of blocks 49, 45, 41, 37, 33, 29, 25, 21 and 17 to the southeast corner of lots 7 in bolck 17 of the Alamo Land and Sugar Company's tract for the southeast corner of this district. Thence west along the center line of blocks 17, 16 and 15 of said Alamo Land and Sugar Company's tract and along the south boundary line of lots 46, 47 and 48 of Stewart's Addition to Conway Gardens across the east line of Porcione 72 and along the south boundary line of lots 4, 5 and 6 in block 16 and the south boundary line of lots 34, 35 and 36 in block 15 of said John Closner re-subdivision and along the south boundary line of lots 321, 320, 323, 324, 325, 326, 327 and 328 of the J. C. Kelley subdivision of Por-

block 11 of the A. J. McColl subdivision of Porcione 68 and along the south boundary line of lots 6 and 5 in block 22 of Conway Gardens to the southwest corner of lot 5 in block 22 of Conway Gardens and the same being the southwest corner of this district. Thence northward along the west line of lots 5 and 2 in block 22 of Conway Gardens and the west line of lots 5 and 2 in block 21 of Conway Gardens and the west line of lot 5, block 20 of Conway Gardens to the place of beginning. containing approximately square miles.

The amendment was concurred in by the following vote:

Yeas—27.

| Alderdice. | Hall. |
|------------|---------------------|
| Bailey. | Hertzberg. |
| Buchanan | of Scurry. Hopkins. |
| Caldwell. | Johnston. |
| Carlock. | McNealus. |
| Clark. | Page. |
| Cousins. | Parr. |
| Dayton. | Rector. |
| Dean. | Strickland. |
| Dorough. | Suiter. |
| Dudley. | Westbrook. |
| Faust. | Williford. |
| Floyd. | Woods. |
| Gibson. | |

Absent.

Smith.

Absent-Excused.

Buchanan of Bell. Witt.

Senate Bill No. 21.

The Chair laid before the Senate on third reading:

S. B. No. 21, A bill to be entitled "An Act to amend Article 1390, Title 28, Chapter 5 of the Revised Civil Statutes of the State of Texas of 1911, relating to the proceedings for the removal of county seat, so as to provide that, in all cases, the application for the election for said purpose shall be held sufficient when it shall have been signed by a majority of the resident free-holders and qualified voters of the county, said majority of free-holders and qualified voters to be determined by the county judge, or in case of his failciones 69 and 70 and along the south ure or inability to act, then by any boundary line of lots 5 and 4 in two of the county commissioners of said county, from the assessment rolls thereof, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas-25.

Alderdice. Hall. Buchanan of Scurry, Hertzberg. Caldwell. Hopkins. Carlock. Johnston. Clark. McNealus. Cousins. Page. Dayton. Rector. Dean. Strickland. Dorough. Suiter. Dudley. Westbrook. Faust. Williford. Floyd. Woods. Gibson.

Absent.

Parr.

Smith.

Absent-Excused.

Bailey. Witt. Buchanan of Bell.

Senate Bill No. 97.

Senator Gibson moved that the Senate instruct the public printer to give S. B. No. 97 precedence over all other bills and have same printed and returned to the Senate before all others.

The motion prevailed.

House Bill No. 59.

The Chair laid before the Senate on third reading:

H. B. No. 59, A bill to be entitled "An Act amending Section 1, Chapter 67. Local and Special Laws of the State of Texas, passed by the Thirty-sixth Legislature, and entitled 'An Act to amend the Special Road Law of Rockwall County, Texas, enacted at the Regular Session of the Thirty-third Legislature, 1913,' same being an Act to create a more efficient road law for Rockwall County, Texas; providing that the commissioners court of Rockwall County, Texas, be authorized and empowered from the sale of said

bonds in addition to road building. salaries of all persons employed by said court in the construction, building, maintaining, locating and establishment of said roads, to pay for right of way, to purchase all tools, machinery and equipment of every character necessary for the establishment, construction and maintenance of said roads, including an automobile for transporting workmen engaged in said work or employed by said commissioners court in any way connected with the locating, establishing, building and maintaining of same, as well as machinery and tools to be used, and declaring an emergency.

The bill was laid before the Senate, read third time and, on motion of Senator McNealus, was passed by the following vote:

Yeas-26.

| Alderdice. | Hall. |
|---------------------|-------------|
| Buchanan of Scurry. | Hertzberg. |
| Caldwell. | Hopkins. |
| Carlock. | Johnston. |
| Clark. | McNealus. |
| Cousins. | Page. |
| Dayton. | Parr. |
| Dean. | Rector. |
| Dorough. | Strickland. |
| Dudley. | Suiter. |
| Faust. | Westbrook. |
| Floyd. | Williford. |
| Gibson, | Woods. |
| | |

Absent.

Smith.

Absent-Excused.

Witt.

Bailey. Buchanan of Bell.

Senate Bill No. 58.

The Chair laid before the Senate on second reading:

S. B. No. 58, A bill to be entitled "An Act granting to the city of Rockport, Texas, all right, title and interest of the State of Texas to certain land lying and being situated under the waters of Aransas Bay; etc."

Texas, be authorized and empowered to pay for out of the money derived the bill was laid on the table subject from the sale of said road to call.

Messages from the House.

Hall of the House of Representatives, Austin, Texas, July 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 11, Relating to freight rates on coke.

H. C. R. No. 10, Relative to the transfer of quarantine service to the United States Government.

Refused to adopt S. C. R. No. 11, Relating to cornerstone of Old Capitol.

H. B. No. 23, A bill to be entitled "An Act to amend Article 7305 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 114 of the Acts of the Regular Session of the Thirty-fifth Legislature, relating to the inspection of hides and animals by striking therefrom the word 'Bailey,' so as to include Bailey County among the counties subject to the provisions of Chapter 7, Title 124, of the Revised Civil Statutes of 1911, as the same was amended by Chapter 127, Acts of the Regular Session of the Thirty-fifth Legislature, relating to regulations for the protection of stock raisers in certain localities, and declaring an emergency."

H. B. No. 64, A bill to be entitled "An Act to fix the time of holding the courts in the Sixty-fourth Judicial District of Texas, and to validate all process, bonds and recognizances heretofore taken in the courts of said district and all judgments therein rendered, or to be rendered, and repealing all laws in conflict therewith. and declaring an emergency."

H. B. No. 67, A bill to be entitled "An Act to amend Sections 2 and 8, Senate Bill No. 312 of the Local and Special Acts of the Regular Session of the Thirty-fourth Legislature, creating the La Porte Independent School District, defining the boundaries thereof, providing the method of levying, assessing and collecting the taxes therein, legalizing levies, assessments and equalizations theretofore made and declaring an emergency"; with engrossed rider.

H. B. No. 97, A bill to be entitled "An Act to amend an Act entitled

criminal district court for Bowie County; to provide for the jurisdiction of and procedure in said court; to fix the time for holding the terms of said court; to provide for the appointment, election, qualification, duties, powers and compensation of a judge of said court; depriving and divesting the district court of Bowie County of jurisdiction of all criminal cases; providing from and after the taking effect of this act for the transfer of all criminal cases from the district court of the Fifth Judicial District of Texas, held in Bowie County and from the county court of Bowie County to the criminal district court of Bowie County created by this Act, and conforming the jurisdiction of the district court of the Fifth Judicial District of Texas, as held in Bowie County, and of the county court of Bowie County, Texas, to the jurisdiction of the Criminal District Court of Bowle County, Texas, conferred by this Act; providing that the district attorney for the Fifth Judicial District of Texas shall represent the pleas of the State in all felony cases of which said court is given jurisdiction, and that the county attorney of Bowie County shall represent the pleas of the State in all misdemeanor cases of which said court is given jurisdiction; providing that the sheriff and clerk of the district court of Bowie County shall be the sheriff and clerk, respectively, of the court created by this Act, under the same rules and regulations as are now or may hereafter be prescribed by law for the government of such official; providing for the fees to be received by such officers for such services, and repealing all laws and parts of laws in conflict with this Act, and declaring an emengency"; with engrossed rider.

H. B. No. 68, A bill to be entitled "An Act creating the Crosby Independent School District in the county of Harris. State of Texas, defining its boundaries, divesting the bodies politic now controlling the same of the title of all property now held and used for public school purposes within the territory within this Act described and investing the same in the Crosby Independent School District, providing for the election of a board of trustees to manage and con-'An Act to establish and create a trol the public free school within

said district and investing the said district and rights, powers, privileges and duties of a town or vilage incorporated for free school purposes only under the general laws, declaring an emergency"; with engrossed

H. B. No. 90, A bill to be entitled "An Act to amend Section 1 of the Acts of the Regular Session of the Thirty-sixth Legislature, creating the Garwood Independent School District, entitled 'An Act creating the Garwood Independent School District in Colorado County, Texas, etc., and declaring an emergency.

H. B. No. 92. A bill to be entitled "An Act to amend Section 2 and 4 of Chapter 146, Special Laws of the Thirty-third Legislature, 1913, reciting powers and privileges of the Kyle Independent School District and changing the number of school trustees from three to seven, and declaring an emergency."

H. B. No. 106, A bill to be entitled "An Act amending Section 1, Chapter 67, Special Laws of Texas, Acts of the Thirty-first Legislature, Regular Session, entitled 'An Act creating the Hamlin Independent School District in Jones County, Texas, defining its boundaries, etc.,' so as to include additional territory in Jones and Fisher Counties, Texas; re-establishing the metes and bounds of the Hamlin Independent School District, and declaring an emergency"; with engrossed rider.

H. B. No. 107, A bill to be entitled "An Act to create a more efficient road system for Kaufman County, Texas, adopting certain provisions of Chapter 2, Title 18, Revised Civil Statutes of 1911, as amended and added to by Chapter 203, Acts. of the Regular Session of the Thirtyfifth Legislature, and Chapter 18, Acts of the Fourth Called Session of the Thirty-fifth Legislature, except as herein otherwise provided, and prescribing ways and means of conducting and supervising the construction of roads in said county, or any political subdivision or defined district thereof; declaring that no bond election previously ordered and held within any political subdivision of said county shall be invalidated, nor the election of any permanent road commissioners affected by this Act; authorizing the commissioners court ate after same had been read, the to cancel and revoke all previous following:

orders with respect to bonds heretofore voted by any political subdivi-sion of said county and which bonds have not been approved by the Attorney General and which have not been sold and cannot be legally sold, and to annul the election at which such bonds were voted; providing that this Act shall be cumulative of all general laws on the subjects treated of herein, and the special road laws of Kaufman County, except Chapter 39, Special Laws of the Regular Session of the Thirty-third Legislature, and Chapter 16, Special Laws of the First Called Session of the Thirty-third Legislature, which are herby repealed, and declaring an emergency."

Respectfully submitted, O. P. BASFORD. Acting Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred, after their captions had been read, the following House bills:

H. B. No. 23, referred to the Committee on Stock and Stock Raising.

H. B. No. 64, referred to the Committee on Judicial Districts.

H. B. No. 67, referred to the Committee on Educational Affairs.

H. B. No. 97, referred to the Committee on Judicial Districts.

H. B. No. 107, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 106, referred to the Committee on Educational Affairs.

H. B. No. 92, referred to the Committee on Educational Affairs.

H. C. R. No. 10, referred to the Committee on Public Health.

H. B. No. 90, referred to the Committee on Educational Affairs.

H. C. R. No. 11, referred to the Committee on State Penitentiaries.

H. B. No. 68, referred to the Committee on Educational Affairs.

Resolutions Signed.

The Chair, Lieutenant Governor, Johnson, gave notice of signing, and did sign in the presence of the Sen-

- S. C. R. No. 10, relating to enforcement of the pool hall law.
- S. C. R. No. 12, relating to appointment of committees to confer with Prison Commission in regard to betterment of the system.

Senate Bill No. 52.

The Chair laid before the Senate on second reading:

S. B. No. 52, A bill to be entitled "An Act to amend Sections 1 and 15 of Chapter 81 of the General Laws Alderdice. of the State of Texas, passed by the Fourth Called Session of the Thirtyfifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, and adding thereto Section 17, providing for the extension of the terms of said commission from the last Saturday in June, 1920, until the last Saturday in June, 1922, for the appointment of judges for said extended term, and for an appropriation to carry out the purposes for this amendment, and declaring an emergency."

Senator Dean moved to pass the bill to engrossment.

As a substitute, Senator Strick-land moved to recommit the bill.

Senator Caldwell moved the previous question on the motion and substitute which being duly seconded the main question was ordered.

The motion to recommit the bill was lost by the following vote:

Yeas—9.

Alderdice. Strickland.
Dayton. Suiter.
Dorough. Williford.
Floyd. Woods.
Gibson.

Nays-17.

Buchanan of Scurry. Hopkins. Caldwell. Johnston. Carlock. McNealus. Clark. Page. Cousins. Parr. Dean. Rector. Dudley. Smith. Westbrook. Faust. Hertzberg.

Absent.

Hall.

Absent—Excused.

Bailey. Witt. Buchanan of Bell.

The bill was read second time and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 52 put on its third reading and final passage by the following vote:

Yeas-24.

Hertzberg. Buchanan of Scurry. Hopkins. Caldwell. Johnston. Carlock. McNealus. Clark. Page. Cousins. Parr. Dayton. Rector. Dean. Smith. Dorough. Suiter. Dudley. Westbrook. Faust. Williford. Gibson. Woods.

Nays-2.

Floyd. Strickland.

Absent,

Hall.

Absent-Excused.

Bailey. Witt. Buchanan of Bell.

The bill was laid before the Senate, read third time, and Senator Woods offered the following amendment:

(1) Amend S. B. No. 52 as follows:

Strike out the figures "1922" where they occur in lines 9, 15 and 21, page 2 of the bill, and insert in lieu thereof the figures "1921."

Senator Page moved the previous question on the adoption of the amendment and the final passage of the bill, which motion being duly seconded, the main question was ordered.

The amendment was lost by the following vote:

Yeas-12.

Alderdice. Dorough.
Buchanan of Scurry. Floyd.
Clark. Gibson.
Dayton. Hopkins.

Strickland. Suiter. Williford. Woods.

Nays-14.

Caldwell. Johnston.
Carlock. McNealus.
Cousins. Page.
Dean. Parr.
Dudley. Rector.
Faust. Smith.
Hertzberg. Westbrook.

Absent.

Hall.

Absent-Excused.

Bailey. Witt. Buchanan of Bell.

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

Yeas-19.

Buchanan of Scurry, Hopkins. Caldwell. Johnston. Carlock. McNealus. Clark. Page. Cousins. Parr. Dean. Rector. Dudley. Smith. Faust. Westbrook. Hertzberg.

Nays-8.

Dayton. Strickland.
Dorough. Suiter.
Floyd. Williford.
Gibson. Woods.

Present-Not Voting.

Railey. Witt. Buchanan of Bell.

(Pair Recorded.)

Senator Alderdice (present), who would vote "nay"; Senator Hall (absent) who would vote "aye."

Adjournment.

At 2:40 o'clock p.m., the Senate on motion of Senator Woods, adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Senator Dudley presented by request a petition from numerous inmates of the Confederate Home asking the Legislature to make an investigation of its present management.

Senator Carlock offered a communication from the Boy's Agricultural Club of Tarrant County favoring a full apporpriation for agricultural extension work.

Senator Smith offered a similar petition from farmers and business men of Marshall and Harrison County.

Senator Hall offered a letter from Rev. Smith of Texas City, relating to the enforcement of liquor law.

The following is printed in full by order of the Senate:

Department of Agriculture. Washington, D. C., July 2, 1919.

Senator R. M. Johnston, Capitol Station, Austin, Texas.

I have just learned that the House Appropriations Committee reports \$45,000 a year less than the amount requested by the A. and M. College for agricultural extension The amount requested is the amount of apportionment of Federal funds to Texas under the Smith-Lever Act of Congress, and the full amount is absolutely required if we are not seriously to cripple the county agent work in Texas. I am told that the Senate Committee has reported the full amount and I will thank you to use such influence as you see proper to have the Senate appropriation maintained.

As you know, I am going out of the service. Therefore I am speaking without any selfish interest whatever. If members of the Legislature will examine the report made by the College on the results of extension work, especially during the last two years, they will see the termendous value of this service. To cut the appropriation \$45,000 a year will require the discontinuance of the work in some twenty odd counties. For the life of me if I were to continue as Director of Extension I would not know what counties to discontinue, and if I were a tax payer in the county where the service was discontinued, I would complain bitterly

of the Legislature for not permitting my county to enjoy this service as other counties enjoy it.

You know what the Chamber of Commerce has done to assist our work in Harris County and you know what the work has been worth to Harris County. It is worth as much to every other county in the State.

There are one or two members of the House who have thought we can maintain the county agents with a reduced appropriation by reducing the staff of specialists at College Station, and I am satisfied that the House reduction is due to the influence of these particular members and does not reflect the judgment of the whole committee. We can not dispense with the services of specialists without seriously crippling the county agent work. The county agent has to deal with all agricultural problems, including soils, live stock, insects, plant diseases, and marketing, and no man can learn in a life time all the varied sciences which are involved in agriculture. The county agent needs the specialist in plant diseases, the specialist in insect pests, the specialist in cattle feeding, the specialist in poultry, the specialist in gardening and so on to advise him from time to time as new problems arise so that he in turn may advise and lead his farmers, just as the capable nurse in charge of a hospital ward needs expert physicians in all phases of human ailments. The county agent in charge of a given section needs the aid of specialists from time to time. To reduce our specialists staff in any serious degree would be just as great a mistake as to reduce the staff or expert physicians giving advice to the nurses and patients of a large hospital

In 1914 the Texas Legislature by joint resolution accepted the terms of the Smith-Lever Act of Congress with its definitely fixed annually increasing appropiration for extension work until it reaches its maximum in 1922. Meanwhile, the Department of Agriculture and the College working in co-operation as the Act provides, have developed extension work and laid plans for further development. It would be very bad statesmanship, not to say bad faith, for the Legislature now to repudiate in any

in 1914 to maintain agricultural extension work under the terms of the Smith-Lever Act. If the administration of the service has been inefficient, then the proper remedy is a change of administrative officers and not a reduction of appropriation.

Moreover, the Federal Government during the two years of the war appropriated large emergency funds for the extension of agricultural activities, and under the Act which the Congress has just passed for the fiscal year 1919-20, an additional sum of a million and a half dollars is provided to be apportioned among the States. Even with this additional appropriation by Congress, we will fall far short of the funds necessary to maintain the system of extension developed during the war, and at the best we must considerably reduce our forces. It is a question whether we can legally obtain the apportionment of the Federal funds without meeting them in full, but if we can a further reduction by reason of reduced appropriations by the Texas Legislature will be disastrous, because to cut off \$45,000 a year in Texas will cut off \$45,000 a year from the Federal Government and, therefore, make a net reduction of \$90,000.

Some House members contend that the appropriations made by the county commissioners courts and the local communities can be used to offset the Federal funds, and, therefore, that there will be no diminution of the Federal appropriation, but the fact remains that we shall need the county funds and community funds to offset our share of the million and a half dollars which the new Federal appropriation bill carries, and we need every dollar contained in the College budget to maintain the best of our work. Some of it must be dropped under any circumstances.

I give you my deliberate judgment that there is no money which the State of Texas can invest that will yield such large returns as the money appropriated for agricultural extension. I believe I am in a position to know better than the average member of the Legislature can know what this work has done for the Nation in the last two years. end of the war does not mean the end of need for agricultural develop-Fespect the agreement which it made ment. We are returning to peace

with relatively fewer men on the farms than we had at the beginning of the war. If we are to feed and clothe the Nation, not to speak of feeding and clothing a large part of a bankrupt world, we must improve our processes of agriculture or production will become so scant that our urban population will be unable to buy or will suffer depirvation. We are about to lose a considerable part of our great grain crop for lack of farm labor; our cattle producers are suffering losses and yet consumers are depriving themselves of as much beef as they would like to eat because of the high prices, which contrasting conditions exhibit the dire need for better maketing and more economical distribution; our cotton crop as revealed by yesterday's report on acerage and condition is the smallest in four years and is in the worst condition for ten years, which situation should appeal to wise lawmakers as an emergency requiring the best skill of economists and scientists alike in reducing the high cost of production, in battling with the insect pests which have already invaded the fields, and in securing for the producers the fair price to which they are entitled under a system of careful grading and stapling of cotton.

I could write you reams upon this subject and then not exhaust it, but I desist.

This perhaps is the last representation I shall ever be called upon to make as an officer of the College or the Department of Agriculture, because I am going back to private life as soon as I can, but I beg you to take my word that this is the most vital affair of our material concern and I urge you to do all you can to maintain the appropriation which the Senate Committee has reported.

Very truly yours, CLARENCE OUSLEY.

Engrossing Committee Report.

Committee Room, Austin, Texas, July 5, 1919. Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed bills, have had S. B. No. 21 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Reports.

Committee Room. Austin, Texas, July 7, 1919. Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 103, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them as follows, towit: University of Texas. including the Medical Department at Galveston and the Department of Mines and Metallurgy at El Paso, Agircultural and Mechanical College, State Experimental Stations, Prairie View State Normal, College of Industrial Arts for Women, Normal Institute, North Houston Texas Normal, Southwest Texas Normal, West Texas State Normal, East Texas State Normal, Sul Ross State Normal, John Tarlton Agricultural College, Grubbs Vocational College, Texas School for the Blind, Deaf and Dumb Institute for the years beginning September 1, 1919, and ending August 31, 1921, and declaring an emergency."

Have had the same under consideration and beg leave to report same back to the Senate with recommendation that it do pass and be printed.

WESTBROOK, Chairman.

(Floor Report.)

Senate Chamber, Austin, Texas, July 7, 1919. Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 16, A bill to be entitled "An Act to amend Section 12 of Chapter 10 of the Local and Special Laws passed at the Regular Session of the Thirty-fifth Legislature, the same being 'An Act to authorize and empower Lamar County or any political subdivision or defined district of said county by vote of two-thirds majority of the resident property tax payers, qualified voters of such county or political subdivision or defined district thereof voting thereon to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such

political subdivision or defined district and to levy and collect taxes, to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, and for the maintenance of said roads during the life of such bonds for the purpose of constructing, maintaining and operating macadamized graveled or paved roads and turnpikes, and providing ways and means of conducting and supervising said work, and to repeal Chapter 3 of the Special Acts of the Thirty-first Legislature and all other Special Road Laws for Lamar County,' and declaring an emergency,"

Have had the same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass with the attached amendments, which were adopted in the House, and that it be not printed.

Woods, Chairman; Williford, Caldwell, Carlock, Clark.

(Floor Report.)

Senate Chamber, Austin, Texas, July 7, 1919.

Hon. W. A. Johnson, President of the the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred House Bill No. 7, a local road law for Camp County having had the same under consideration, beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Woods, Chairman; Williford Caldwell, Carlock, Clark.

(Floor Report.)

Senate Chamber, Austin, Texas, July 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred House Bill No. 31, a local road law for Smith County having had the same under consideration, beg leave to report it back to the Senate with the recommendation that it do pass, and that it be not printed.

Woods, Chairman; Williford Caldwell, Carlock.

Committee Room,
Austin, Texas, July 3, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Educational Affairs to whom was referred H. B. No. 54 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass and that it be not prined, same being a Local School Bill.

ALDERDICE, Chairman.

(Floor Report.)

Senate Chamber, Austin, Texas, July 7, 1919. Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred

S. B. No. 42, A bill to be entitled "An Act to standardize the guage of the vehicles to be used on the public highways of this State, and to regulate the manufacture and sale thereof, and declaring an emergency,"

Have had said bill under consideration, and report the same back to the Senate, with the recommendation that it do pass.

Dean, Chairman; Carlock, Page, Williford, Suiter, Faust, Hopkins, Hall

TWELFTH DAY.

Senate Chamber, Austin, Texas, July 8, 1919.

The Senate met at 10 o'clock a.m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Hall. Alderdice. Buchanan of Bell. Hertzberg. Buchanan of Scurry. Hopkins. Johnston. Caldwell. McNealus. Carlock. Page. Clark. Parr. Cousins. Rector. Dayton. Smith. Dean. Strickland. Dorough. Suiter. Dudley. Westbrook. Faust. Williford. Floyd. Woods. Gibson.